

## Message Text

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PAGE 01 TOKYO 07044 301133Z

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ACTION EB-11

INFO OCT-01 EA-11 ISO-00 DRC-01 RSC-01 /025 W

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R 301016Z MAY 74

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 2224

INFO USDOC WASHDC

UNCLAS TOKYO 7044

E.O. 11652: N/A

TAGS: BSIS, JA

SUBJECT: ATTEMPTED MISAPPROPRIATION OF TRADEMARKS "CONVERSE" AND  
"ALL STAR"

REF: STATE 107653

SUMMARY: COMATT DISCUSSED SUBJECT TRADEMARK PROBLEM WITH MR. SENDA OF YUASA AND HARA. SENDA NOW GATHERING EVIDENCE TO SUPPORT OPPOSITIONS. EVIDENCE, WHICH MUST BE FIELD BY AUGUST 20, WILL ATTEMPT TO DEMONSTRATE THAT TRADEMARKS ALREADY WELL KNOWN IN JAPAN. SENDA REQUESTS RECEIPT FROM CONVERSE RUBBER CO. OF EXPORT RECORDS THESE TRADEMARKED PRODUCTS. COMATT AND SENDA TO MEET AGAIN AFTER SENDA COLLECTS NEEDED EVIDENCE, WHICH EMBASSY NEEDS IN ORDER TO PRESENT REASONED ARGUMENT TO MITI, PATENT OFFICE. END SUMMARY.

1. AS REQUESTED REFTTEL COMATT MET WITH MR. SENDA OF YUASA AND HARA (PATENT ATTORNEYS), DISCUSSED SUBJECT TRADEMARK MISAPPROPRIATION ATTEMPTS.

2. ACCORDING TO SENDA, NIPPON GOMU K.K. (NIPPON RUBBER CO., LTD.) FILED TWO APPLICATIONS FOR CLASS 32 (SHOES, ETC.) TRADEMARKS. PATENT OFFICE SAW NO REASON TO REJECT APPLICATIONS ON THEIR FACE, PUBLISHED APPLICATIONS IN PATENT GAZETTE (CONVERSE ON APRIL 6; ALL STAR MARCH 27).

3. YUASA AND HARA FIELD OPPOSITIONS TO SUBJECT TRADEMARK APPLICATIONS MAY 20. EVIDENCE IN SUPPORT OF OPPOSITION MUST BE FIELD BY AUGUST 20. FOR OPPOSITION TO BE EFFECTIVE, EVIDENCE MUST DEMON-

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STRATE EITHER OF FOLLOWING: A) SAME TRADEMARK ALREADY REGISTERED

IN JAPAN; B) TRADEMARK WELL KNOWN IN JAPAN. RATIONALE "A" NOT APPLICABLE TO SUBJECT APPLICATIONS. THUS, SUCCESS OF CONVERSE RUBBER COMPANY'S OPPOSITION DEPENDENT ON ABILITY OF YUASA AND HARA TO PROVE "B" ABOVE.

4. SENDA PLANS OBTAIN AVAILABLE DATA FROM INOUE SHOJI (CONVERSE'S LOCAL DISTRIBUTOR), SHOWING IMPORT AND SALES FIGURES, AS WELL AS COPIES AND DATES OF ADVERTISEMENTS DISPLAYING TRADEMARKED PRODUCTS.

5. SENDA WOULD APPRCIATE RECEIPT FROM CONVERSE OF RELEVANT EXPORT DOCUMENTATION THAT MIGHT FURTHER SUPPORT OPPOSITION EFFORT.

6. COMATT TO MEET SENDA AGAIN AFTER NEEDED EVIDENCE IS COLLECTED, IN ORDER TO PERMIT EMBASSY TO APPROACH MITI, PATENT OFFICE ON KNOWLEDGEABLE BASE.  
SHOESMITH

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TRADEMARK INFRINGEMENTS  
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**Decaption Date:** 01 JAN 1960  
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**Reference:** STATE 107653  
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**Review Authority:** WorrelSW  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 06 NOV 2002  
**Review Event:**  
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**Review Release Event:** n/a  
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**Subject:** ATTEMPTED MISAPPROPRIATION OF TRADEMARKS "CONVERSE" AND "ALL STAR"  
**TAGS:** BDIS, ETRD, JA, US, CONVERSE RUBBER CO  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005